

A bill for an act  
relating to real estate; adjusting the statute of repose for homeowner warranty  
claims; amending Minnesota Statutes 2008, section 541.051, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 541.051, subdivision 4, is amended to read:

Subd. 4. **Applicability.** ~~For the purposes of~~ This section does not apply to actions  
based on breach of the statutory warranties set forth in section 327A.02, or to actions based  
on breach of an express written warranty, except as provided by this subdivision. Such  
actions shall be brought within two years of the discovery of the breach in all cases where  
the breach is discovered within ten years after the warranty date. ~~In the case of an action~~  
~~under section 327A.05, which accrues during the ninth or tenth year after the warranty~~  
~~date, as defined in section 327A.01, subdivision 8, an action may be brought within two~~  
~~years of the discovery of the breach~~ Where the breach is discovered more than ten years  
after the warranty date, these actions must be brought within one year after the discovery  
of the breach, but in no event may an action ~~under section 327A.05~~ be brought more than  
12 years after the ~~effective~~ warranty date. An action for contribution or indemnity arising  
out of actions described in this subdivision may be brought no later than two years after the  
earlier of commencement of the action against the party seeking contribution or indemnity,  
or payment of a final judgment, arbitration award, or settlement arising out of the breach.

**EFFECTIVE DATE.** This section is effective the day following final enactment  
and applies to cases pending or commenced on or after that date.